IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.372 OF 2004

IN

SUIT NO.2087 OF 1984

Union of India .... Plaintiff

v/s.

Mohammed Hafiz and ors. ..... Defendants

AND

Champaklal Laludas Rathod

and Ors. ..... Applicants

S.R. Rajguru with R.C. Master for plaintiffs.

V.K. Nawalkaar i/b. V. kapse for the applicant.

CORAM: S.U. KAMDAR, J.

DATE : 15TH FEBRUARY, 2005.

P.C. :

1. The learned counsel for the applicant seeks leave to withdraw the present chamber summons with

liberty to adopt appropriate substantial proceedings in accordance with law. Chamber summons is dismissed with the aforesaid liberty.

2. The order of the court receiver to take possession of the property dated 4.8.1986 and 2.9.2003 not to give effect to for a period of three months from today. The applicant will be at liberty to adopt appropriate order in their substantial proceedings which may be initiated. If he does not obtain any order within a period of three months the stay shall stand vacated and the court receiver to implement the said order dated 4.8.1986 and 2.9.2003 immediately.

3. In the mean time the court receiver may proceed to take symbolic possession of the suit property without dispossessing the applicant from their respective premises.

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